

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

DAYS INNS WORLDWIDE, INC., *a*  
*Delaware Corporation,*

*Plaintiff,*

v.

Civil Action No. 10-4689 (KSH)

FERGUS FALLS HOSPITALITY CORP., *a*  
*Minnesota Corporation,* JAGDISH PATEL,  
*an individual,* and KUSUM PATEL, *an*  
*individual,*

*Defendants.*

**ORDER**

**KATHARINE S. HAYDEN, U.S.D.J.**

This matter having come before the Court by way of Magistrate Judge Patty Shwartz's Report and Recommendation [D.E. 12] that the Court strike defendants' answers for failure to appear at a Rule 16 conference; and the parties having had 14 days to object to the Report and Recommendation pursuant to L. Civ. R. 72.1(c)(2); and none of the parties having filed an objection; good cause appearing,

IT IS ON this 30th day of June, 2011,

**ORDERED** that the Report and Recommendation [D.E. 12] is **accepted**, and it is further

**ORDERED** that, for the reasons stated in the Report and Recommendation, defendants' answers are **stricken**.

/s/ Katharine S. Hayden  
Katharine S. Hayden, U.S.D.J.